

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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Korean American Chamber of Commerce U.S.A., LLC,
Richard Chung Cho

**KOREAN AMERICAN CHAMBER OF
COMMERCE U.S.A, LLC a/k/a
HANSANG KACCUSA; and RICHARD
CHUNG CHO**

Plaintiffs,

v.

**OVERSEAS KOREAN AGENCY (OKA);
KI CHUL LEE a/k/a Kichul Lee or Gichul
Lee, an individual; KYUNG CHEOL LEE
a/k/a Kyung Chul Lee or Gyung Cheol Lee,
an individual; SANG IL NO a/k/a Sang Il
Noh, an individual; Gi Whan Ha, an
individual; GI HWAN HA, an individual;
CHAN HO PARK, an individual; and
various John Does, Jane Does and ABC
Companies**

Defendants.

Civil Action No.: 2:23-cv-04387-BRM-JSA

**PLAINTIFFS' *EX PARTE* MOTION FOR
TEMPORARY RESTRAINING ORDER
(TRO) AND PRELIMINARY
INJUNCTION with Attorney Certification
(Filed Electronically)**

Plaintiffs respectfully moves *ex parte* for a Temporary Restraining Order, and Preliminary Injunction against all the Defendants. In support of this Motion, Plaintiffs state as follows:

1. Pursuant to D.N.J. Civ. R. 10.1, Mailing addresses of the parties to this action are as follows:

Korean American Chamber of Commerce U.S.A., LLC (HANSANG KACCUSA)
and **Rechard Chung Cho**
12-45 River Rd, Suite 152
Fair Lawn, NJ 07410

Overseas Korean Agency (OKA) and Ki Chul Lee
460 Park Avenue 6th Floor
New York, NY 10022

Kyung Cheol Lee
3230 Steve Reynolds Blvd, Suite 211
Duluth, GA 30096

Sang Il No
2211 Michelson Dr. Suite 800
Irvine, CA 92612

Gi Hwan Ha
2740 West Olympic Blvd.
Los Angeles, CA 90006

Chan Ho Park
2211 Michelson Dr. suite 800
Irvine, CA 92612

2. Plaintiffs holds a registration for its trademarks “HANSANG” and “KACCUSA”

and following logo with the United States Patent and Trademark Office:



A true and correct copy of the United States registration certificate for Plaintiffs' Trademarks and logo is attached to this motion as **Exhibit 1**:

3. The registration for the Plaintiffs' trademarks and logo are valid, subsisting, and in full force and effect. The registration for the Trademarks and logo constitutes prima facie evidence of its validity and of Plaintiffs' exclusive right to use the trademarks and logo pursuant to 15 U.S.C. §1057(b).

4. Plaintiffs have not licensed or authorized Defendants to use Plaintiffs' trademarks and logo.

5. Defendants are trying to host and hold the "2023 World Korean Business Convention" unauthorizedly using the trademark, logo and/or likenesses of the Plaintiffs known as HANSANG and KACCUSA from October 11, 2023 to October 14, 2023 mainly thorough some promotions and marketing See the internet advertisement and promotion capture attached to this Motion as **Exhibit 2**.

6. The Plaintiffs' trademark "HANSANG" exactly same meaning in Korean as the Convention title, World Korean Business Convention. As we can find from the event name, most convention goers should be Koreans and/or Korean Americans.

7. The Convention promotion also mentions that one of the partner hosts is KACCUSA which has been illegally and unauthorizedly used by the Defendants Kyung Cheol Lee, Sang Il No and Gi Hwan Ha without any permission and/or consent from the Plaintiffs, trademark holder.

8. The Convention is selling the tickets through various promotions and advertisement: ticket prices are USD 100 for student, USD 250 for individual and USD 500 for company. See the attached promotional leaflet in **Exhibit 3**.

9. Therefore, Plaintiffs have to move *ex parte* because,

1) the Defendants illegally sell the Convention tickets as this I write this Motion papers – which **means damages and injury increases at this time and increasing until the emergent injunction is ordered;**

2) if the 2023 World Korean Business Convention is held as scheduled, it could make the unknown Defendants including innocent infringers can be more than about 100,000 persons as estimated basing on the conventions held in the past – **which will cause huge damages in public as well as to the Plaintiffs;** and

3) although this *ex parte* Motion papers will be noticed to some Defendants via their known e-mail and mail addresses including registration@wkbc.us **this *ex parte* motion should be granted mainly due to the reason stated sub-paragraph 1) above.**

10. Those unknown and future defendants cannot be identified until they actually have worked for and/or participated in the Convention.

11. If Plaintiffs were to wait to identify those parties and give them notice of this Motion, the Convention already would have occurred and they would have unauthorizedly used the Plaintiffs' trademark, logo and likenesses – which will make Plaintiffs and the Court lose the opportunity to mitigate damages and to stop huge trademark infringements in advance, although Plaintiffs and the Court know it would happen in advance.

12. Accordingly, Plaintiffs and many innocent persons will suffer irreparable harm if this emergent injunction is not granted. See *Ferring Pharm., Inc. v. Watson Pharm., Inc.*, 765 F.3d 205, 217 (3d Cir. 2014) (“a party seeking a preliminary injunction in a Lanham Act case is not entitled to a presumption of irreparable harm but rather is required to demonstrate that she is likely to suffer irreparable harm if an injunction is not granted.”)

WHEREFORE, Plaintiffs urgently request that the Court enter a Temporary Restraining Order on the Defendants' any attempts to promote, host and hold the said Convention using the Plaintiffs' trademark, manufacturing, gifting, and/or selling any kind of goods, gifts, documents and websites falsely bearing the trademark and logo of the Plaintiffs, until 24:00 on October 14, 2023 or key known Defendants excluding anonymous ones officially cancel the Convention, whichever occurs first.

Dated: August 18, 2023

s/Jungsup Kim

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